



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Criminal Case No. 08MJ1308

Plaintiff,)

v.)

WILLIAM EDWARD FESSLER,)

Defendant.)

ORDER OF DETENTION BASED UPON
DEFENDANT'S WAIVER OF RIGHT TO
BAIL AND DETENTION HEARING

At defendant's initial appearance on April 28, 2008, defendant WILLIAM EDWARD FESSLER was arraigned on the complaint charging him with distribution of cocaine base in the form of "crack" in violation of Title 21, U.S.C. §841(a)(1) and (b)(1)(A)(ii)&(iii). The Government requested that defendant be detained based on risk of flight and danger to the community.

At the scheduled hearing on April 30, 2008, Assistant United States Attorney Alessandra P. Serano appeared on behalf of the United States and Attorney and Robert Rexrode, Esq. appeared on behalf of defendant. At the hearing, defendant waived his right to bail and his right to a speedy detention hearing. Based on defendant's waiver, a hearing on detention or bail setting was not held. The Court found that defendant's waiver of the above-mentioned right was competent, knowing and voluntary.

IT IS HEREBY ORDERED that defendant be detained pending the proceedings.

IT IS HEREBY FURTHER ORDERED that defendant be committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with counsel.

1 While in custody, upon order of a court of the United States or upon the request of an attorney
2 from the Government, the person in charge of the correctional facility shall deliver the defendant to the
3 United States Marshal for the purpose of an appearance in connection with a court proceeding or any
4 other appearance stipulated to and by defense and Government.

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6 IT IS SO ORDERED WITHOUT PREJUDICE.

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8 DATED: 5-7-08

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DATED



HON. NITA L. STORMES
UNITED STATES MAGISTRATE JUDGE

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15 Prepared by:

16 KAREN P. HEWITT
17 United States Attorney

18 s/Alessandra P. Serano

19 Alessandra P. Serano
20 Assistant U.S. Attorney

21 cc: Robert Rexrode, Esq. (Via email)

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